

## Message Text

LIMITED OFFICIAL USE

PAGE 01 BONN 01641 01 OF 02 271742Z

ACTION L-03

INFO OCT-01 AF-08 ARA-06 EUR-12 EA-07 NEA-10 IO-13 ISO-00

AID-05 CIAE-00 COME-00 EB-08 FRB-03 INR-07 NSAE-00

USIA-06 TRSE-00 XMB-02 OPIC-03 SP-02 CIEP-01 LAB-04

SIL-01 OMB-01 NSC-05 SS-15 STR-04 CEA-01 DODE-00

PA-01 PRS-01 H-01 /131 W

-----271810Z 070695 /47

P R 271730Z JAN 77

FM AMEMBASSY BONN

TO SECSTATE WASHDC PRIORITY 5126

INFO AMEMBASSY BRUSSELS

AMEMBASSY THE HAGUE

AMEMBASSY LONDON

AMEMBASSY PARIS

AMEMBASSY OSLO

AMEMBASSY ROME

AMEMBASSY TOKYO

AMEMBASSY OTTAWA

AMEMBASSY BERN

AMEMBASSY BOGOTA

AMEMBASSY CARACAS

AMEMBASSY FREETOWN

AMEMBASSY ISLAMABAD

AMEMBASSY KINSHASA

AMEMBASSY LAGOS

AMEMBASSY MEXICO CITY

USMISSION USUN NEW YORK

USMISSION OECD PARIS

USMISSION EC BRUSSELS

LIMITED OFFICIAL USE SECTION 01 OF 02 BONN 01641

E.O. 11652: N/A

TAGS: ECOSOC, EGEN, EINV

SUBJECT: ECOSOC WORKING GROUP ON ILLICIT PAYMENTS -

LIMITED OFFICIAL USE

LIMITED OFFICIAL USE

PAGE 02 BONN 01641 01 OF 02 271742Z

SECOND SESSION

REF: (A) STATE 011838; (B) STATE 017954

1. REF A WAS REVIEWED IN DEPTH WITH ECONMIN OFFICIAL  
GAYMANN WHO RESPONSIBLE FOR SUBJECT. HE STATED THAT  
FRG WAS KEENLY AWARE OF PROBLEM OF SEATING IN CORRUPT

PRACTICES WORKING GROUP, BUT THAT THERE APPEARED TO BE VERY LITTLE CHANCE OF IT BEING RESOLVED. HE FELT THAT PRESENT ALLOCATION OF FOUR SEATS TO WEO WAS BETTER THAN AN ATTEMPT TO EXPAND TO SIX SEATS. IT HIS VIEW THAT FOUR COULD BE ALLOCATED TO U.S., EC, NON-EC EUROPE AND, POSSIBLY CANADA. WERE THERE TWO ADDITIONAL SEATS EUROPEANS WOULD BE DEFINITELY UNABLE DECIDE WHO SHOULD GET THEM. SINCE NETHERLANDS HAD OPTED OUT OF COM-PETITION IN FAVOR OF BELGIANS, IT WOULD BE DIFFICULT DENY SEAT TO BELGIANS. FRANCE, AS PERM SECURITY COUNCIL MEMBER, WAS CERTAIN TO INSIST ON ONE. UK COULD BE COUNTED UPON TO DEMAND OWN SEAT IF FOR NO OTHER REASON THAN IT IS NOW IN EC PRESIDENT'S CHAIR. GAYMANN SUGGESTED THAT ITALY WOULD NOT SIT BACK AND WATCH ITSELF BE LEFT OUT. AS THE WHOLE SUBJECT OF WHO GOT A SEAT AND WHO DIDN'T WOULD CAUSE CONSIDERABLE DISSENT IN WEO'S, GAYMANN FEIT NUMBER OF PERMANENT MEMBERS SHOULD BE LEFT AT FOUR. FRG WOULD, ACCORDING TO GAYMANN, CONTINUE PLAY ACTIVE ROLE IN WORKING GROUP REGARDLESS OF WHETHER IT HAD MEMBER OR OBSERVER STATUS.

2. AT NOVEMBER WORKING GROUP MEETING GAYMANN HAD SPOKEN WITH NUMBER OF G-77 REPS AND COME AWAY WITH IMPRESSION THAT G-77 WOULD OPPOSE STRONGLY ANY ATTEMPT TO ENLARGE NUMBER OF WEO SEATS. WHEN HE RAISED QUESTION THEN, IT WAS POINTED OUT TO HIM THAT THERE MANY LDC'S STILL UNREPRESENTED IN G-77, AND THAT ANY EXPANSION OF WEO SIDE WOULD REQUIRE "BALANCE" ON G-77, A PROCESS WHICH WOULD ENLARGE WORKING GROUP TO (MORE) UNWIELDY LIMITED OFFICIAL USE

LIMITED OFFICIAL USE

PAGE 03 BONN 01641 01 OF 02 271742Z

SIZE.

3. CONCEPTS, SPELLED OUT IN REF B, WERE REVIEWED WITH GAYMANN WHO ASSURED EMBOFF THAT FRG WAS BASICALLY IN AGREEMENT WITH THEM. GERMANS WERE IN FULL ACCORD WITH FIRST TWO CONCEPTS; HOWEVER, CONCEPT THREE WAS GOING TO CAUSE THEM TROUBLE. GERMANS VIEW THIS PROPOSAL AS UNREALISTIC AND UNENFORCEABLE. FURTHER, ANY ATTEMPT TO GET LEGISLATION ON BOOKS IN FRG TO

LIMITED OFFICIAL USE

NNN

LIMITED OFFICIAL USE

PAGE 01 BONN 01641 02 OF 02 271742Z

ACTION L-03

INFO OCT-01 AF-08 ARA-06 EUR-12 EA-07 NEA-10 IO-13 ISO-00

AID-05 CIAE-00 COME-00 EB-08 FRB-03 INR-07 NSAE-00

USIA-06 TRSE-00 XMB-02 OPIC-03 SP-02 CIEP-01 LAB-04

SIL-01 OMB-01 NSC-05 SS-15 STR-04 CEA-01 DODE-00

PA-01 PRS-01 H-01 /131 W

-----271810Z 070707 /47

P R 271730Z JAN 77

FM AMEMBASSY BONN

TO SECSTATE WASHDC PRIORITY 5127

INFO AMEMBASSY BRUSSELS

AMEMBASSY THE HAGUE

AMEMBASSY LONDON

AMEMBASSY PARIS

AMEMBASSY OSLO

AMEMBASSY ROME

AMEMBASSY TOKYO

AMEMBASSY OTTAWA

AMEMBASSY BERN

AMEMBASSY BOGOTA

AMEMBASSY CARACAS

AMEMBASSY FREETOWN

AMEMBASSY ISLAMABAD

AMEMBASSY KINSHASA

AMEMBASSY LAGOS

AMEMBASSY MEXICO CITY

USMISSION USUN NEW YORK

USMISSION OECD PARIS

USMISSION EC BRUSSELS

LIMITED OFFICIAL USE SECTION 02 OF 02 BONN 01641

LEGALIZE THIS PROPOSAL, SHOULD IT BECOME PART OF MULTI-  
LIMITED OFFICIAL USE

LIMITED OFFICIAL USE

PAGE 02 BONN 01641 02 OF 02 271742Z

LATERAL TREATY, WOULD PROBABLY CREATE CONSTITUTIONAL  
PROBLEM. DISCLOSURE LEGISLATION, DESCRIBED IN REF B,  
IS, IN GAYMANN'S VIEW UNKNOWN IN EUROPE, AND INCONSISTENT  
WITH FRG SYSTEM OF LAW. GAYMANN EXPRESSED VIEW THAT  
EACH COUNTRY IS RESPONSIBLE FOR THE INTEGRITY OF ITS  
OFFICIALS, AND, THUS, IT SHOULD NOT BE ONE COUNTRY'S  
DUTY TO PROSECUTE ITS OWN CORPORATIONS OR NATIONALS

FOR QUESTIONABLE OR ILLICIT PAYMENTS MADE IN ANOTHER COUNTRY TO OFFICIALS OF THAT COUNTRY.

4. IN SUM, GERMANS WERE WILLING TO JOIN IN GENERAL AGREEMENT DEFINING AND CONDEMNING CORRUPT BUSINESS PRACTICES, INCLUDING ILLICIT PAYMENTS. THEY WERE ALSO WILLING TO SUPPORT A MULTILATERAL TREATY CALLING FOR MUTUAL LAW ENFORCEMENT AND JUDICIAL ASSISTANCE AND COOPERATION IN SUCH PRACTICES. THEY ARE SKEPTICAL, HOWEVER, THAT TERMS OF REFERENCE HAVE BEEN SUFFICIENTLY WELL DEFINED, OR THAT NATIONAL LEGISLATION OR PRACTICE (WHICH MAY BE IN CONFLICT) HAS BEEN ADEQUATELY TAKEN INTO ACCOUNT, TO BEGIN SERIOUSLY AT THIS NEXT SESSION TO FRAME A TREATY.

5. FRG DELEGATION WILL CONSIST OF GAYMANN, AN AS YET UNNAMED OFFICIAL FROM JUSTICE MINISTRY, AND FRG WASHINGTON EMBASSY LEGAL ADVISOR. STOESEL

LIMITED OFFICIAL USE

NNN

## Message Attributes

**Automatic Decaptioning:** X  
**Capture Date:** 01-Jan-1994 12:00:00 am  
**Channel Indicators:** n/a  
**Current Classification:** UNCLASSIFIED  
**Concepts:** BRIBERY, CORRUPTION, MULTINATIONAL CORPORATIONS, COMMITTEE MEETINGS  
**Control Number:** n/a  
**Copy:** SINGLE  
**Sent Date:** 27-Jan-1977 12:00:00 am  
**Decaption Date:** 01-Jan-1960 12:00:00 am  
**Decaption Note:**  
**Disposition Action:** RELEASED  
**Disposition Approved on Date:**  
**Disposition Case Number:** n/a  
**Disposition Comment:** 25 YEAR REVIEW  
**Disposition Date:** 22 May 2009  
**Disposition Event:**  
**Disposition History:** n/a  
**Disposition Reason:**  
**Disposition Remarks:**  
**Document Number:** 1977BONN01641  
**Document Source:** CORE  
**Document Unique ID:** 00  
**Drafter:** n/a  
**Enclosure:** n/a  
**Executive Order:** N/A  
**Errors:** N/A  
**Expiration:**  
**Film Number:** D770030-0114  
**Format:** TEL  
**From:** BONN  
**Handling Restrictions:** n/a  
**Image Path:**  
**ISecure:** 1  
**Legacy Key:** link1977/newtext/t19770114/aaaaalwh.tel  
**Line Count:** 189  
**Litigation Code IDs:**  
**Litigation Codes:**  
**Litigation History:**  
**Locator:** TEXT ON-LINE, ON MICROFILM  
**Message ID:** 40cf38d0-c288-dd11-92da-001cc4696bcc  
**Office:** ACTION L  
**Original Classification:** LIMITED OFFICIAL USE  
**Original Handling Restrictions:** n/a  
**Original Previous Classification:** n/a  
**Original Previous Handling Restrictions:** n/a  
**Page Count:** 4  
**Previous Channel Indicators:** n/a  
**Previous Classification:** LIMITED OFFICIAL USE  
**Previous Handling Restrictions:** n/a  
**Reference:** 77 STATE 11838, 77 STATE 17954  
**Retention:** 0  
**Review Action:** RELEASED, APPROVED  
**Review Content Flags:**  
**Review Date:** 23-Nov-2004 12:00:00 am  
**Review Event:**  
**Review Exemptions:** n/a  
**Review Media Identifier:**  
**Review Release Date:** n/a  
**Review Release Event:** n/a  
**Review Transfer Date:**  
**Review Withdrawn Fields:** n/a  
**SAS ID:** 3489488  
**Secure:** OPEN  
**Status:** NATIVE  
**Subject:** ECOSOC WORKING GROUP ON ILLICIT PAYMENTS - LIMITED OFFICIAL USE LIMITED OFFICIAL USE  
**TAGS:** EGEN, EINV, ECOSOC  
**To:** STATE  
**Type:** TE  
**vdkgvwkey:** odbc://SAS/SAS.dbo.SAS\_Docs/40cf38d0-c288-dd11-92da-001cc4696bcc  
**Review Markings:**  
Margaret P. Grafeld  
Declassified/Released  
US Department of State  
EO Systematic Review  
22 May 2009  
**Markings:** Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 22 May 2009